

DIVISION 13. SEC. 36-AAA. DESIGN OVERLAY DISTRICT—CENTRAL HIGH NEIGHBORHOOD DESIGN OVERLAY DISTRICT

(a) Purpose and intent: The purpose of the Central High Neighborhood Design Overlay District (district) is to create a quality vital atmosphere for businesses (commercial or office) and residents through protecting the historical architectural integrity and sense of place of the District, by encouraging historic rehabilitation of existing structures, and in-fill development which is fully compatible with existing, historic building stock. Buildings, parking area, signage, landscaping, and street furnishings should all be designed to complement and encourage pedestrian use both day and evening. Proper planning is necessary to ensure visual clutter is avoided.

Guidelines and strategies must be in place to protect the district from the negative impact of poorly planned or incompatible projects. Incompatible development has the potential to destroy the attributes that will attract people to the district.

(b) District boundaries. The district shall include all parcels within the area as described: Starting at the intersection of W 12th Street and South Woodrow Street, east along the centerline of W 12th Street to the intersection of South Schiller Street, thence south along the centerline of South Schiller Street to the intersection of W Daisy L Gatson Bates Drive, thence east along the centerline of W Daisy L Gatson Bates Drive to the intersection of Dr. Martin Luther King Jr. Drive, thence south along the centerline of Dr. Martin Luther King Jr. Drive, to the intersection of W 17th Street, thence west along the centerline of W 17th Street to the center line of South Woodrow Street, thence north along the centerline of South Woodrow Street to the point of beginning,

Less and except:

All properties bounded by W Daisy L Gatson Bates Drive on the north, Park Street on the east, West 16th Street on the south and Jones Street on the west; and Park Addition Block 7 Lots 1, 2 and 12; and Park Addition Block 6 Lots 4-9; and that part of Dennison Street located between 13th Street and W Daisy L Gatson Bates Drive.

Sec. 36-BBB. Definitions.

Block face: The total of all lots within a city block facing a single given city street.

Developed block face: A block face containing developed lots which comprise fifty (50) percent or more of the block face.

Driveway: A designated gravel or paved vehicular path that leads from the public or private street to a permanent parking location, i.e. a parking pad, carport, garage, etc. on private property.

New construction: Construction that is characterized by the introduction of new buildings or structures.

Undeveloped block face: A block face containing developed lots which comprise less than fifty (50) percent of the block face.

Sec. 36-CCC. Application of design regulations.

- (a) The regulations in this ordinance shall be in addition to and shall overlay all other zoning districts and other ordinance requirements regulating the development of land so that any parcel of land lying in the overlay district shall also lie within one (1) or more of the other underlying zoning districts. Therefore, all property within this overlay district will have requirements of both the underlying and overlay-zoning district in addition to other ordinance requirements regulating the development of land. In case of conflicting standards between this ordinance and other City of Little Rock ordinances, the overlay requirements shall control.
- (b) These regulations shall apply to new development, expansion of existing development, tree protection and planting, and redevelopment exceeding fifty (50) percent of the structure's assessed value according to the county tax assessor minus land value, expansion of existing development and tree protections and planting. In order to be compatible with the established neighborhood, new construction and landscaping shall comply with the following criteria. In the case of an undeveloped block face, the requirements shall relate to the adjacent block faces.
- (c) Applicants for building permits to redevelop existing structures in the District shall state on their application the expected value of interior and of exterior improvements to the structure. Before a building permit is issued for more than \$1,000 in exterior improvements to a structure, the permit shall be reviewed pursuant to Sec. 36 DDD by the Department of Planning and Development to determine whether the total of proposed improvements are likely to exceed 50% of the value of the structure, and thus trigger application of the design guidelines in this regulation.
- (d) Uses, structures or lots which existed on the effective date of this ordinance which do not conform to the standards and guidelines established in this ordinance, shall be treated as nonconforming according to the provisions of article III of this chapter. Nonconforming status shall not apply to construction of improvements in the public right-of-way required by the city, redevelopment, or expansion of existing development.
- (e) Routine repairs, maintenance and interior alterations shall not be subject to these regulations. Regular maintenance shall be defined as maintenance or repair of any exterior architectural feature which does not change but simply upgrades a structure, including but not limited to: repainting, replacing deteriorated porch flooring, stairs, siding or trim in the same material and texture, or replacing screens, gutters or downspouts. Regular maintenance does not involve a change in design, material, or outer appearance of any architectural feature. In

the event of a dispute, to determine routine maintenance that does not require compliance with this section, the Department of Planning and Development shall follow guidelines established by the Little Rock Historic District Commission for routine maintenance that does not require HDC review.

- (f) To encourage owners of properties in the District to return them as much as possible to their original, historic appearance when built, the Director of the Department of Planning and Development shall promptly approve building permit requests within the boundaries of the district to return properties as near as possible to their appearance when built. To determine this, the director shall rely upon advice from the Department of Arkansas Heritage or Staff of the Little Rock Historic District Commission.
- (g) Demolitions shall not be subject to these regulations
- (h) Properties with Conditional Use Permits on non-residentially zoned land, churches, and schools, regardless of underlying zoning, shall conform to Sec. 36-FFF New Construction and Additions or Modifications to existing structures on Multi Family or Non-residentially zoned land. All other properties with Conditional Use Permits and Special Use Permits on residentially zoned land shall conform to Sec. 36-EEE. New Construction and Additions or Modifications to existing structures on Single Family or Two Family Zoned Land section.

Sec. 36-DDD. Review section.

The director of the department of planning and development shall determine compliance of all building permit requests within the boundaries of the district.

Sec. 36-EEE. New Construction and Additions or Modifications to existing structures on Single Family or Two Family Zoned Land.

In order to be compatible with the historic nature of the neighborhood, new construction and additions to existing structures shall comply with the following criteria. Plans for new construction, additions and modifications which are subject to this ordinance shall be submitted to the Department of Planning and Development. The Department will review plans for consistency with the detailed requirements of this ordinance and consistency with the historic nature of the District. In the case of an undeveloped block face, the requirements shall relate to the adjacent block faces.

- (a) *Roofs.* A roof pitch of less than 8:12 shall be prohibited. Decorative roof features such as metal cresting, tile ridge caps, or other ornamentation shall be reinstalled when roofing or doing roof repairs. Tile roofs shall be preserved.
- (b) *Materials.* The materials of the exterior shell shall be wood, brick, other masonry, or a material that resembles wood (i.e., vinyl siding, etc.)
- (c) *Orientation.* The orientation shall be consistent with that of other structures on the developed block face.

- (d) *Entrances.* The primary entrance shall be consistent with that of other structures on the developed block face.
- (e) *Setback.* The front yard setback for all R-2 and R-3 Single Family and R-4 Two Family district shall be 15 feet. All other setbacks shall be as prescribed by the property's zoning district.
- (f) *Parking in Residentially zoned districts:* No off-street parking pads are allowed between the front of the principal structure and a public street. Surface parking is to be located behind or adjacent to a structure. Driveways are permitted to be installed in the front yard setback, but not between the principal structure and a public street. Parking pads, as used in this section, are to be defined as permanent surfaces of concrete, asphalt, modular pavers, masonry, gravel or other permanent surfaces to be used for the purpose of parking or storage of vehicles.
- (g) *Detached Garage and carport* locations shall be located to the rear of the principal structure and shall not be located in the front setback. Attached garages must have garage door openings that face side streets, interior lot lines, or alleys.
- (h) *Accessory Buildings:* Accessory building coverage within the 25-foot setback from the rear property line shall be no more than 40% of the area in that section. Accessory building setbacks shall be as per Chapter 36-254 and 36-256.
- (i) *Porches:* Residential structures must have a front porch that is a passageway from the street to the front door of the unit(s) on new residential construction and additions / modifications to the front façade of existing residential structures.
- (j) *Mechanical service equipment* (including but not limited to air conditioner condensing units, transformers, solar collectors, satellite dishes, etc.) shall be located in the rear yards or on a rear-facing roof.

Sec. 36-FFF. New Construction and Additions or Modifications to existing structures on Multi Family or Non-residentially zoned land.

In order to be compatible with the historic nature of the neighborhood, new construction and additions to existing structures shall comply with the following criteria. Plans for new construction, additions, and modifications, which are subject to this ordinance, shall be submitted to the Department of Planning and Development. The Department will review plans for consistency with the detailed requirements of this ordinance and consistency with the historic nature of the District. In the case of an undeveloped block face, the requirements shall relate to the adjacent block faces.

- (a) *Orientation:* The primary facade of a non-residential building shall face the principal street. The principal streets, as referred to in this section, shall refer to the street having the highest classification according to the City Master Street Plan. Buildings located on corner lots shall have the same orientation as adjacent non-residential structures.
- (b) *Ground-level facade.* For new construction, at least sixty (60) percent of the ground-floor level facing pedestrian public circulation areas shall be glass-windows and/or displays.
- (c) *Nonresidential Building setback:* All commercially and office zoned properties within the boundaries of this districts shall have a ten foot (10') front set back with building sited at the front setback property line. Properties on street corners shall be sited on the property lines ten feet off the property lines abutting the street corner. There shall be a five feet side yard set back from residentially zoned properties, zero feet side yard set back from non-residentially zoned property and rear yard setback of 25 feet.
- (d) *Drive through facilities:* No drive through facilities shall be permitted on front facades of buildings. Buildings, which are on a corner, shall be considered to have two front facades. Drive-through facilities are permissible on side or rear facades.
- (e) *Roofs.* Flat roofs and pitched roofs are permitted. Rooflines should follow predominant style of the adjacent buildings.
- (f) *Materials:* The materials of the exterior shell shall be brick, other masonry, wood, or a material that resembles wood (i.e., vinyl siding, etc.)
- (g) *Standard parking requirements.* Parking requirements within the district shall be fifty (50) percent of that required by article VIII of chapter 36.
- (h) *Maximum parking:* The maximum parking allowed shall be the minimum standard established in article VIII of chapter 36.
- (i) *Parking facilities.* Surface parking shall be limited to the side and rear of structures. No parking shall be allowed in the "front-yard setback." Parking structures shall have ground-level uses devoted to non-vehicular activities. Development of ground-level retail or office uses is encouraged.

Sec. 36-GGG. Sidewalks.

All public streets and drives shall have five-foot sidewalks on both sides of the vehicular area for non-residentially zoned property. All residentially zoned property shall have four-foot sidewalks on both sides of the vehicular area.

Sec. 36-HHH. Utilities and services.

- (a) All new utilities for developments within the district shall be buried. All new developments are required to place utilities and cabled services in subterranean locations from the pole to the structure.
- (b) Dumpster delivery and waste removal areas shall be located in alleys where available or in common service areas for multiple developments.
- (c) In all areas, service and waste removal areas shall be screened and located away from public outdoor spaces and pedestrian areas. Dumpster screening as per [section] 36-253.

Sec. 36-III. Landscaping.

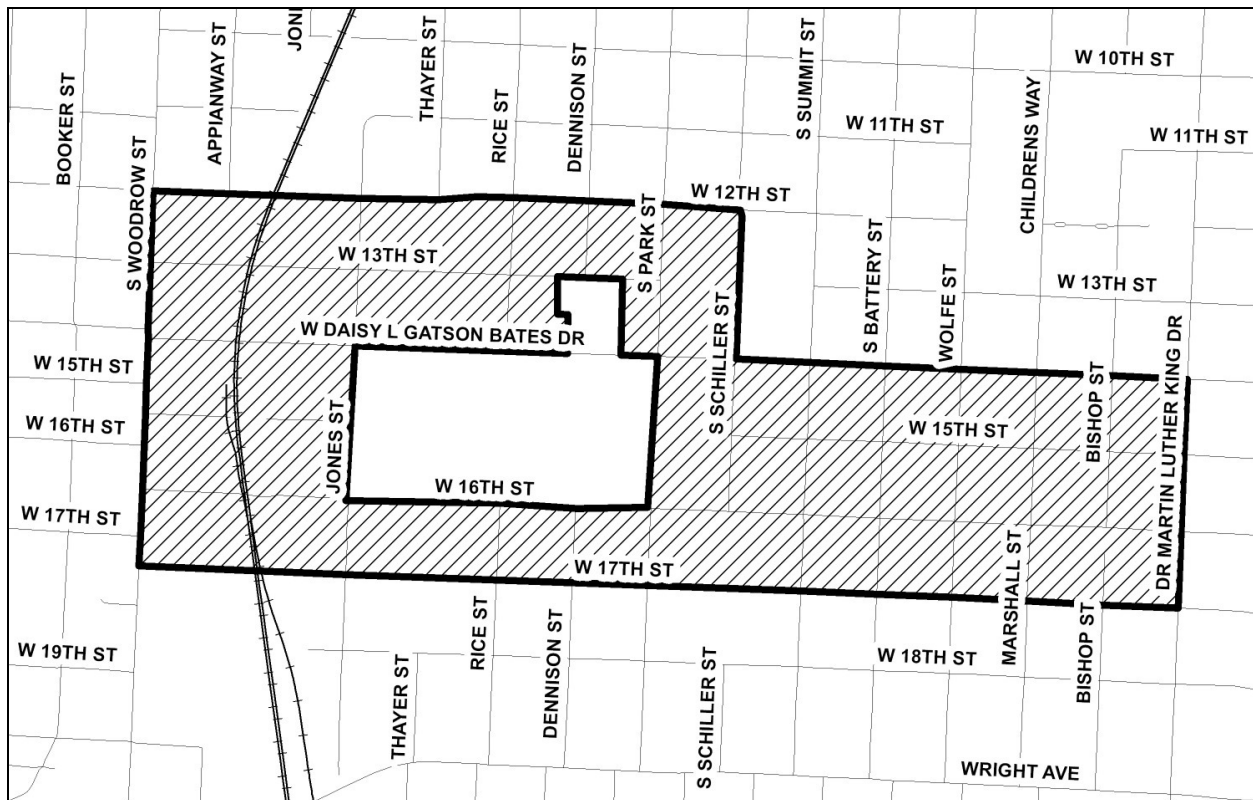
The regulations in this subsection shall apply to all development and redevelopment in the District.

- a) Land use buffers shall be as provided in subsection 36-522(b)(1). In areas where terrain variation is great or other features result in the loss of privacy, alternative designs and massing shall be considered.
- b) Parking lots shall meet all current landscape requirements (Chapter 15, Article IV) when development or redevelopment occurs as stated above. Variances from this provision will be heard by the City Beautiful Commission.
- c) Trees greater than fourteen (14) inches in diameter, measured at four and one-half (four 1/2) feet above the ground, shall be protected from removal and damages in future development of the district. Any development within fifty (50) feet of any such tree shall be reviewed prior to development to assure protective measures are included and in place. Tree removal can only be done if approved by the City's Urban Forester. Penalties for violations shall be as listed in Chapter 1-9. For trees in the Public Right-of-way, see Sec 15-51.
- d) Planting of trees in areas void of shade and canopy will be conducted as follows. Tree species will be selected based on its mature size, growth, habit, and optimal site requirements. In any development that requires compliance with the provisions of this district, at least two (2) trees shall be planted in the front yard setback. Trees shall be selected from the list of appropriate trees listed in Chapter 15.
- e) Ensure that tree plantings do not interfere with above or below ground utilities, obstruct views at intersections, or cause other public safety concerns.
- f) Trees planted on public lands shall be at least two inches in caliper and ten feet in height.
- g) The City's Urban Forester shall advise about tree selection, planting guidelines, and tree placement.

- h) Trees planted in tree grates or in cutouts within sidewalks shall have a minimum of thirty-six square feet area. Tree pits shall be excavated to a depth of a minimum of eighteen inches and backfilled with topsoil.

Sec. 36-JJJ. Exceptions.

Property, if for any reason, that cannot be developed without violating the standards of this article shall be reviewed through the planned zoning district (PZD) section of the zoning ordinance, with the intent to devise a workable development plan which is consistent with the purpose and intent of the overlay standards.



Area of Proposed Design Overlay District